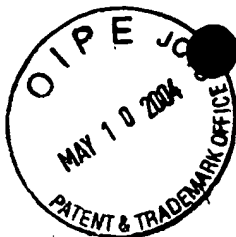


Patent



Attorney Docket No.: Intel 2207/6026
Assignee: Intel Corporation

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPLICANT : William C. DeLEEUW
SERIAL NO. : 09/222,906
FILED : December 30, 1998
FOR : A METHOD FOR EXTRACTING INFORMATION
FROM A FILE USING A PRINTER DRIVER
GROUP ART UNIT : 2178
EXAMINER : Cong Lac T. HUYNH

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Dated: May 5, 2004	Signature <u>Barbara Vance</u> Barbara Vance

ATTENTION: Board of Patent Appeals and Interferences

REPLY BRIEF UNDER 37 C.F.R §1.193

Dear Sir:

This is in reply to issues raised by the Examiner in his Answer of March 5, 2004.

Claims 1-5, 8-12, and 18-19 were rejected under 35 U.S.C. §102(e) as being anticipated by Yokomizo et al. U.S. Patent No. 5,907,835 (hereinafter "Yokomizo"). Claims 6-7 and 13-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yokomizo.

The Error of the Examiner's Analysis In Finding Claims 1-5, 8-12, and 18-19 Unpatentable

Appellants believe that the Examiner's conclusion of anticipation of claims 1-5, 8-12, and 18-19 is based on a misunderstanding or misinterpretation of the claims and the prior art. Yokomizo discloses having a special filing driver that converts files into a special common document format to facilitate filing files produced by various different applications. The Appellant's present invention discloses using the existing printing format outputted by the printing driver, eliminating the need for a new common document format functionality required by Yokomizo. Examiner states:

Yokomizo further discloses extracting text information from said representation (figure 5 and col 6, lines 49-67: extracting character information ("character information is directly extracted from the GDI codes transferred to the driver"), extracting keyword information ("the keyword information is extracted from the character information, utilizing a keyword routine") from the common document which contains GDI drawing command or GDI codes including character information, keyword information, and layout information).

(Examiner's Answer, pp. 9-10).

The Examiner is referring to extracting the extraction of keyword information from the GDI codes. The cited portion of Yokomizo states:

In the conventional filing, the character information is extracted by applying the OCR to the bit map image read by the scanner. This method is followed also in the filing driver, but the character information is directly extracted from the GDI codes transferred to the driver. Thus, the character information exists in following two kinds:

- i) character information obtained by OCR; and
- ii) character information obtained by analyzing GDI codes.

The layout information is extracted from block selection (BS) information, which is a pre-treatment program of the OCR. Similarly, the layout information exists in following two kinds:

- i) layout information obtained by block selection; and
- ii) layout information obtained by analyzing GDI codes.

The keyword information is extracted from the character information, utilizing a keyword generation routine.

The layout information extraction is executed in the following manner.

(Yokomizo, col. 6, lines 49-67).

In Yokomizo, a keyword extraction is performed on the GDI codes to convert the document in a common document format. A preceding paragraph of Yokomizo explains:

(2) the format follows that of the printer driver filing is realized by the operations identical with those in the printing to the ordinary printer from the commercially available application. More specifically, the GDI drawing commands, issued from the application, are converted into a predetermined file format and the file is stored in a hard disk. The dialog specific to the filing is displayed by the filing driver on a display (not shown);

(Yokomizo, col. 6, lines 23-30).

In Yokomizo, the extraction of text information occurs before the representation having a modified format for output by a printer is generated. The GDI codes are not this representation, for as Yokomizo explains:

On the other hand, the data to be transferred to the printer driver in case of printing by these applications are limited to QuickDraw (registered trademark) in case of Macintosh or GDI (registered trademark) in case Windows.

(Yokomizo, col. 4, lines 18-21).

The GDI codes are the instructions that get converted into a printing format, not the resulting printing format. Therefore, Yokomizo does not disclose the invention as claimed.

The Error of the Examiner's Analysis In Finding Claims 6-7 and 13-17 Unpatentable

Appellants believe that the Examiner's conclusion of anticipation of claims 6-7 and 13-17 is based on a misunderstanding or misinterpretation of the claims and the prior art. In reference to claims 6-7 and 13-14, Examiner states:

Instead Yokomizo discloses:

- storing extracted information in the database (col 9, lines 34-38)
- analyzing and classifying text documents (col 13, lines 42-48)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Yokomizo to include the current list of files and a previous list of files since the feature of storing extracted information in the database suggests that the data stored in the database should form a list of files in the database. Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Yokomizo to include comparing said current list with said previous list to identify new files and modified file because of the following reason. It was well known in document processing that each file when created or modified, has an associated time and date of creating and modifying to be stored along with the file. So, based on that, a file is easily recognized being a new file or a modified file.

In addition, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated repeating the processing, extracting, and storing steps for each new file and each modified file since there is a plurality of information to be extracted to store in the database as files, the processing, extracting, and storing files need to be repeated for each of the files.

(Examiner's Answer, p. 6).

While most databases would have some kind of directory which would act as a list of files, having a current list of files and a previous list of files is not obvious from what is disclosed in Yokomizo. Numerous other methods exist for maintaining an updated database. For example, the database may be updated each time a file is created or modified. Including the elements of claim 6-7 and 13-14 is not obvious from Yokomizo and the Examiner has not shown otherwise.

Further, As stated above, Yokomizo does not disclose extracting information from the representation, as claimed in claims 6-7, 13-14, and 16-17 through their dependence on claims 1, 8, and 15, respectively. Therefore, Yokomizo does not disclose the invention as claimed.

CONCLUSION

In conclusion, Appellants submit that the Examiner has improperly construed the claims on appeal, misreading the elements that are at the heart of the claimed invention. These elements are missing from the cited art and Appellants submit that, because of this, the Examiner's rejection should be reversed.

The Examiner's Answer was dated March 5, 2004, so this Reply Brief is timely filed.

The Commissioner is hereby authorized to charge any additional fees required or credit any overpayment in connection with this correspondence to KENYON & KENYON, Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON

Date: May 5, 2004

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